

**A Federal commission for the purpose of making an extensive investigation of conditions in the anthracite region, and the statutes are being searched with the object of conferring as broad authority as possible on the commission.**

Commissioner of Labor Wright had two consultations with the President today. The first was in the morning, and was interrupted by the visit of the Crown Prince of Spain. The conference was continued late in the afternoon, when Mr. Wright, Commissioner of Immigration and formerly executive head of the Brotherhood of Locomotive Firemen, was present, and Assistant Attorney-General Hoyt came in for a few moments at the request of the President. Attorney-General Knox has gone to Pittsburgh, where he is to make a speech next Tuesday, and Mr. Hoyt is acting Attorney-General. It was said this afternoon, by the way, that although Mr. Knox left Washington much earlier than was necessary for him to do in order to deliver his speech, he had not gone to Pennsylvania on any business connected with the coal strike.

**IS CIVIL LAW IN FORCE?**

**Strikers to Contest the Detention of Prisoners by Military Authorities.**

WILKES-BARRE, Pa., Oct. 11.—As soon as the Ninth Regiment takes a prisoner, the strikers intend to find out whether the Governor and the military force of the State is a bigger power than the courts. Regimental commanders have received orders to obey the instructions of the Governor to the effect that all prisoners arrested for committing violence shall be held as prisoners by the regiments until their release shall not endanger the public peace.

The strikers, the People's Alliance and sundry civil authorities and citizens are protesting, and today Attorney James L. Lendahan was deep in law books digging out opinions. He is engaged by the strikers of this district.

"The order," he says, "is practically a declaration of martial law, and under no authority can it be made effective. Neither Gov. Stone nor President Roosevelt has the right to declare martial law. That power, according to the decision of the late Chief Justice Taney of the Supreme Court, is vested alone in Congress."

"If the Ninth arrests a prisoner and detains him, I shall apply for a writ of habeas corpus for his surrender to the civil authorities, or he can get out, and we'll see if it is resisted. No prisoner has been arrested yet."

Sherriff Jacobs said that he considered the country too hot to attempt to enforce martial law. "If my deputies go out with the soldiers and make any arrests, I shall surrender the prisoners to the soldiers," he declared. He seems much relieved by being able to have the responsibility thus removed from his shoulders.

Gen. Gobin had little to say about the condition of the district. He said that the strikers were committing acts of violence with the intent to obstruct the coal trade, and that he would do so and will be confined at the discretion of the commanding officer in accordance with the Governor's order. What he will do if a writ of habeas corpus is served he cannot say.

"I cannot cross a bridge until I come to it," he declared.

"Meanwhile he will keep the prisoners," Col. Dougherty of the Ninth said he knew nothing of any such proceedings and is merely obeying orders. He said that he would wait for the Sheriff to direct the soldiers where to go, but he sends them wherever he deems they are necessary.

As for the People's Alliance, the officers are declaring the Governor's order an outrage, a usurpation without warrant of law, and the alliance means to hold a meeting next week and publicly to defy it.

William Montross and Michael Mushaghe, the two men arrested on last Tuesday in connection with the dynamiting outrages and held in the police station, are in accordance with the general order issued by Gov. Stone, were released this afternoon after a brief examination by Col. Hughes. The officers for the men had intended instituting legal proceedings for the release of the two men.

**READING OFFICIALS PLEASED.**

About 25,000 Tons of Coal Sent Last Week to Tidewater—Increase Expected.

READING, Pa., Oct. 11.—Reading Railway officials are pleased with shipments of anthracite coal from the Schuylkill regions. For the week ending to-night the company sent to tidewater about 25,000 tons, a marked increase. The shipments to-day and to-night are especially assuring. Today 188 cars of thirty tons of hard coal each were sent down, and to-night 100 more such cars went through.

The officials say that Mr. Baer's hopeful views of the disintegration of the strike in Reading's territory, may be realized earlier than many expect. Today's shipments were larger than at any time since the strike. The 3,000 tons sent down to-night were mined coal from the west end of Schuylkill county. This morning thirty-four trains of loaded cars were sent down, but the output is small, probably six cars a day. An increase is also expected there.

Henry Clay is producing four cars a day and North Mahoning is producing twenty-two cars a day for the entire region away from the west end, instead of 1,500 cars as in normal days.

It is said that the Erie coal colliery at New Philadelphia has fifty-seven miners at work and producing fifteen cars a day. It will be seen that the entire Mahanoy and Schuylkill valleys are only producing forty-five cars a day, or about 1,200 tons of coal. This does not include the large washer at Mahanoy and St. Clair. These operations are raising only fifty cars, or 1,500 tons a day.

The combined product of these collieries and washers amounts to about 2,000 tons a week. And the coal from the Erie at Schuylkill, which includes Brookside, Goodspeed and Lumber, washery, there is a total weekly output of 2,750 tons. Then there are a few others, such as concerns, which may swell the figures to 3,000 tons. During break times such as have a thirty trains of loaded cars each, have been sent down within twenty-four hours, carrying a total of 9,000 tons of coal, or more than twice as much a day as is shipped in a whole week, reports, however, are expected next week.

**STILL SAY THEY'LL WIN.**

Miners' Officials Back in the Coal Region Going Next to Boston.

SCRANTON, Pa., Oct. 11.—The heavy rain today put a stop to violence hereabouts. Presidents Mitchell, Nichols, Fahy and Duffy arrived in the city from New York this morning. Mr. Mitchell and Mr. Nichols, who had been in the city since the New York conference had come to naught, but he was more confident than ever that the men would win. He declared that the people in large cities would force the operators to surrender.

District President Nichols of the United Mine Workers and National Board Member Fallon left this evening for Boston, where they will represent the miners at a labor meeting. Mr. Mitchell being too busy to attend.

Gen. Gobin and staff came to the city this evening to make their final farewells to Col. Hoffman. They had heard that he was dying. The Colonel was unconscious during a part of the evening, but by this time had rallied somewhat, and the attending physician said he would live through the night.

**TALK OF AN EXTRA SESSION.**

**GOV. ODELL GOES HOME TO THINK ABOUT CALLING ONE.**

If He Does It He Will Have to Do It Quickly—He's Resentful Toward the Coal Operators—They Say Conference Have Only Braced Up Strike.

Gov. Odell, before leaving the Fifth Avenue Hotel for his home in Newburgh yesterday, said that he didn't expect anything material to come out of the conference he and the other Republican statesmen had had with the coal operators.

I have absolutely nothing to say about the coal strike," he said. "So far as I know or am concerned, there will be no more conferences."

All day at the hotel there were persistent rumors that Gov. Odell intended calling an extraordinary session of the Legislature for the purpose of introducing legislation affecting the coal roads which have franchises in New York State. This rumor would not do. It was even said that the Governor, while at his home today, would discuss with some of his friends the wisdom of such a step. Just as the Governor left the hotel yesterday afternoon he was asked if he would call an extraordinary session of the Legislature, and he replied:

"There is nothing to be said about that just at the moment. I am not a lawyer and I could not undertake to say what the power of the State is, because I don't know that is for the Attorney-General to say."

It is known that the Governor was displeased at the outcome of the conference in Senator Platt's office on Thursday and Friday, and that some of his friends suggested the advisability of calling an extraordinary session of the Legislature. The campaign in the State will be ended in three weeks, and if the Governor is to make a speech-making tour through the State he would have little time to give to an extraordinary session of the Legislature.

**GOVERNOR'S SPEECH-MAKING TOUR.**

The Governor consulted with Col. George W. Dunn, chairman of the Republican State Committee, yesterday morning and took with him to Newburgh a tentative schedule of a tour through the coal fields of the Mohawk Valley and the southern tier.

Part of the way, it was said, the Governor is to be accompanied by John E. Hedges, who made a brilliant speech at Saratoga, seconding the Governor's nomination. According to this schedule, Mr. Hedges is to speak in Binghamton on Oct. 20, and in Allegany county and elsewhere in the week beginning Oct. 27. Mr. Hedges is a very fine orator. He is humorous as well as serious, and understands perfectly the issues of this campaign.

**A STATESMAN TO SOME OTHER STATESMEN.**

Calista A. Grow, Congresswoman-at-large from Pennsylvania, talked about the coal strike at the Fifth Avenue Hotel yesterday, especially about the part the statesmen are taking in it.

"You can't mix politics and business," he said. "The politicians can't accomplish anything by interfering with this strike. The mines are operated under charters granted before the present Constitution of Pennsylvania was adopted, and no legislation, such as has been suggested, can be effective. The conference in Senator Platt's office will retard rather than help matters."

"I don't think the coal strike will have any effect upon the election. It is a business question purely, and the people will understand it. It must be settled on a business basis."

**DELATED THE END, SAYS TRUESDALE.**

President Truesdale of the Lackawanna Railroad said yesterday that the past week had been a very strenuous one for the operators. The happenings of the week he regarded as unusual even in such a strike as the present one.

"The strike is not dead," he said. "That matters have been very much delayed by these happenings. Many more of our men were ready to return to work, but it was not unreasonable, perhaps, to think that they would hold out for a five months' struggle when they saw such pressure brought to bear on us to throw up our hands. However the outlook is distinctly brighter to-day."

**ATTITUDE OF THE OPERATORS.**

The following statement was given out yesterday at the office of E. B. Thomas, chairman of the Erie board of directors:

The reports appearing in this morning's papers, to the effect that there was likely to be on Tuesday of next week a further conference with Senators Quay, Platt and Penrose, and that the operators had decided to accept Mr. Thomas as the conclusion of the conference on Friday morning definitely covered the situation.

In the early conferences with the Erie board, the operators' propositions as then submitted by Mr. Thomas. These propositions are understood to be the basis of all the negotiations on the part of the operators ever since and to which the operators adhere. The operators' attitude is that they will not undertake in the slightest manner to discriminate against members of the United Mine Workers of America, but they insist that members of that organization shall not discriminate against non-members who work with non-members of such association.

Second—That there shall be no deterioration in the quantity of quality of the work; and that the operators shall be free to restrict the individual exertions of men who working by the ton or car, may for reasons satisfactory to themselves and their employers, produce more than the average of work.

Third—By reason of the different conditions, varying not only with the districts, but with the mines themselves, thus rendering absolutely impossible any such approaching uniform conditions, such uniformity, either individually or through committees, with the superintendents or managers, any question affecting wages or advantages.

**NOT FOR PLACE AT ANY PRICE.**

The president of one of the coal-carrying roads received the following letter dated Oct. 10, yesterday. It is signed by the head of one of the large steel concerns:

Referring to our proposed putting in blast the iron furnace property, of which I talked with you a few days ago, I beg to say: We have not yet taken up actively the repairs to the plant, but expect to do so as soon as the weather permits. It is arranged, therefore, although our interests must suffer by the delay, that I will not insist that the plant will not waver in the stand you have taken in favor of the rights of free labor and free contract.

At the office of the Erie Railroad it was reported that on Thursday it prepared and shipped nearly 5,000 tons and the same on Friday. It was also officially stated that sixty-five employed miners who had agreed to go to work for one of the coal companies broke the agreement on Friday. It was also officially stated that the miners' strike in the collieries of the Delaware, Lackawanna and

**THE "SOHMER" HEADS THE LIST OF THE HIGHEST GRADE PIANOS.**

**Sohmer Building, Only Salesroom in Greater New York.**

Western Railroad were \$200. This was for only ten and a half months' work."

**THE NEED FOR FEDERAL TROOPS.**

A statement was given out by the Lackawanna Railroad yesterday to show that violence reigns in the coal region. It is in part as follows:

Since the ordering out of the entire Pennsylvania National Guard there have been thirty assaults upon who were in the different collieries. There have been seven attacks upon the homes of workmen. Some of these were with dynamite and as a result the houses were in whole or in part destroyed.

Two attacks with dynamite were made upon railroad property, one of which a cattle train was derailed with the loss of seven cars and eight animals. The other was a strike of eight attacks upon trains when the strikers threw stones, or endeavored to prevent the moving of trains. Two trains were derailed.

There have been three attacks upon the troops themselves by mobs who threw stones. Two troops have been stoned. One soldier was shot. Seven mobs were dispersed by soldiers. Four murders were committed upon men employed at the collieries. Two holdups and robberies occurred under the law. These mobs have been found, in each case destined for strikes.

In this time there have been but fourteen arrests of the strikers. The Governor was attempting to approach the ruins of a house of a colliery workman, which had already been burned down. The Governor was shot by a soldier on his refusal to obey the command to halt, and killed. The wife of the workman whose house had been burned, with her four children took refuge after this in the county almshouse.

President Baer of the Erie Railroad, who is in Washington, said that what was needed in the coal regions was not an armed force, but the force of the law. These reports show something of how that peace is being broken.

**REVENGE IF THEY WIN.**

Miners Threaten to Drive Non-Union Men Out of the Region if Victory Is Theirs.

TAMMARA, Oct. 11.—The mine operators and the greater number of the business people look forward to a resumption of many of the collieries on Monday morning providing the military commanders furnish the men with protection. All day the leaders of the strikers have been mingling with the men to ascertain if possible, how many of them contemplate going to work.

When they learn that a certain miner has made up his mind to return to the mines the leaders go at once to that man's home. They then tell him that if he goes to work his wife and children will be shunned and that every store will be notified not to sell them anything and that bodily harm will be dealt them. They also tell him that they have private assurance that the strike is already won, and that the operators will give in before Oct. 20. If he goes to work and the strike is won, they tell him that he will be driven out of the region.

"After we triumph," they declare, "there will be no room for any man in the region unless he is a union man."

Many men who want to go to work say that they would not feel safe in doing so unless a squad of soldiers was stationed at the door of their homes. The men say that they do not fear so much for themselves as they do for their families, and point to the fact that at Gilberton two attempts have been made during the last three weeks to dynamite the homes of non-union men while they were at work, and while there was nobody in the houses except their wives and children.

**WAIT UNTIL AFTER ELECTION.**

Mine Operator Says the Men Will Not Come Back Until Then.

WILKES-BARRE, Pa., Oct. 11.—One of the leading mine operators said today:

"This strike will not be settled until after the elections, when the efforts of the politicians will no longer be of service in stirring up the strikers to hopes of settlement. When the politicians with their interference are out of the way then the men will return to work."

**COAL PRODUCTION YESTERDAY.**

Nearly 32,500 Tons of Coal Mined—More Men Report for Work.

WILKES-BARRE, Pa., Oct. 11.—No new mine workings started today, the effort to resume work being postponed until next week. There was an increase in the number of workers this morning and the operators believe it is an indication of the fact that the strikers have lost faith in the ability of the politicians to move the operators and that they are going back to work because they are no longer prospective of settlement. The estimated production to-day was:

Delaware, Lackawanna and Western Company 4,500  
Erie Coal Company 1,400  
Lackawanna and Western Company 1,400  
Lehigh Coal and Navigation Company 2,300  
Philadelphia and Reading Company 1,400  
Reading Coal Company 1,400  
Schuylkill County Coal Company 1,400  
Lehigh and Wilkes-Barre Coal Company 1,400  
Wardens Company 900  
Lackawanna Coal Company 900  
People's Coal Company 900  
North American Coal Company 900  
Schenectady Coal Company 900  
Lehigh Valley Coal Company 900  
St. Clair Coal Company 900  
Lehigh Valley Coal Company 900  
Coke River & Co. 400

Total 32,500

**SCRANTON, Pa., Oct. 11.—Col. Waters of the Thirteenth Regiment has been informed that the companies will try to resume at some up-to-date colliery on Monday.**

It has been decided to place an armed colliery will be guarded by troops.

PITTSBURGH, Pa., Oct. 11.—A train of sixty gondolas loaded with prepared coal passed through the city today on the Lehigh Valley road.

**COAL Famine Abroad, Too.**

Maybe It Won't Be Easy to Import Pretty Soon—Soft Coal Down a Little.

There was another drop in the price of bituminous coal yesterday. In the morning it sold down as low as \$7.50, but in the afternoon it jumped up again to \$8, at which price it was selling at closing time. There was no change in the price of anthracite.

It was reported in this city yesterday that a strike of the French miners had resulted in a shortage of coal in Europe and a consequent holding up of much of the coal that has already been purchased in foreign markets for this country. If it should be a hold-up, some dealers said, it would mean advance in the price of bituminous coal.

A member of the firm of Barber & Co. said yesterday that he had received a cablegram which confirmed the suspicion here that there was trouble coming in the coal markets of Europe.

Some of the coal bought abroad by Americans has reached here yet, although stopped on the way. The steamer Delmaria is expected here on Tuesday with a cargo. While this is nobody seems to know, but it is said that it is not an American ship, and that it is to be brought here by the International Mercantile Marine Company.

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**COAL FOR THE POOR, ANYHOW.**

**THE SUPPLY QUICKLY GORRIED UP AT 15 CENTS A PAIL.**

But There'll Be More in a Day or Two—Much Distress Relieved by What Has Already Been Sold—Many Depots Opened—A Fair Distribution Promised.

An immense amount of good has already been done by the distribution of cheap coal on the East Side of the city. It was estimated yesterday that over five thousand people had benefited by the distribution on Friday. Yesterday the men who are distributing the coal were unable to meet the demands on them, because a great deal of the coal that the railroads agreed to release for the benefit of the poor had not got yet here. It may not be here before to-morrow or Tuesday.

Several new depots were opened yesterday and as each one of them had some coal to start with it was possible to help a great many needy persons. Some of these depots are at 35 Jefferson street, 175 Suffolk street, 60 Delancey street, 100 Washington street, Eleventh avenue and Thirty-eighth street, Forty-sixth street and North River, Fifty-sixth street and East River and 110th street and East River.

The main distributing place, Barber's yard in Water street, sold only a few hundred pails yesterday. They were so busy sending coal to other parts of the city that they could not attend to the demands of their own neighborhood. As long as the supply is short those in charge of the distribution will see to it that each part of the city has a fair allotment.

There was more excitement over the distributions yesterday than on the opening day. That was due to the fact that some of the new depots were opened in the very heart of foreign quarters, and the foreigners got to fighting among themselves about how much coal each one should get. At 100 Washington street many of the people who applied were Syrians. One of these Syrians managed to get four pails of coal at 15 cents a pail, and shortly afterward he was caught selling the coal in small lots at 40 cents a pail. When he returned to the depot and took a place in line, meaning to get more coal, a policeman went to the man's rescue, but when he heard what the man had done he quietly indicated that he wouldn't take it from him, as long as he was a Syrian. The last seen of the Syrian he was running up Washington street with several of his indignant countrymen at his heels.

There was a large crowd at Eleventh avenue and Thirty-eighth street, the yard of Burns Bros., all day long. About 200 pails of coal were distributed during the day. It was in barges when the sales began, and trucks were kept hustling from the barges, at the foot of Thirty-eighth street, to the yard where it was sold. Many of the other depots had only twenty or thirty tons of coal at the start, and this was speedily gobbled up by the people who had been waiting for it.

Many of the East Side depots had enough coal for those who wanted it, because the pressure was considerably relieved by the fact that it was from King's yesterday and all fires remained out until sunset last night. The demands of the Jews for coal at the emergency depots will be great, and it is to be expected that they will be met to-morrow, anyway, to have enough for everybody.

Restaurant keepers on the Bowery are complaining that they cannot raise their prices, because if they do they won't get any trade. At the same time, it is ridiculous for them to buy coal at the prevailing rates, they say. At the Square Hotel Inn Secretary Graham said that he was now paying \$2 a ton for coal.

**WHAT ROOSEVELT MIGHT DO.**

Railroad Lawyer's Argument That the President Could Break the Tie-Up.

Walter W. Ross, general attorney for the Delaware, Lackawanna and Western Railroad Company, has prepared a paper which he calls "A Legal Solution of the Coal Strike." It argues that the United Mine Workers' organization comes within the ban of the Sherman Anti-Trust law as a combination in restraint of trade and in monopoly.

In suggesting a course for the interests, which are disastrously affected by the strike, to pursue in making their wishes known to the President he says:

They should ask him to request the Attorney-General of the United States to have a bill filed in the United States Court of the United States, against John Mitchell, president, and all the officers and members of the organization known as the United Mine Workers of America, asking the court to restrain such defendants from interfering with the free movement of interstate commerce and property and the United States mail, and from conspiring with unlawful combination and conspiracy which is intended to subject the coal of the country to the control of an individual or a few individuals.

Mr. Ross then cites the decision of the Supreme Court in the Debs case to show that the President might send Federal troops to break the tie-up, and to apply to the Federal courts to break the tie-up. He says:

The great power of the Federal Government, in the event of a coal strike, is that it is a power which is not to be tampered with. Two ways are open—he may either direct the Attorney-General of the United States to the bill on the equity side of the Great Court of the United States in Pennsylvania, and let the courts do the rest, or he may direct the Attorney-General of the United States to the Federal courts to break the tie-up. He says:

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with Gov. Odell and Senators Quay, Penrose and Platt in New York.

Rumor had it to-day that an important conference was held last evening, either in New York or one of the suburbs. Besides the two railroad chiefs, it is said Senators Quay and Penrose were present. The rumor could not be verified.

Senators Quay and Penrose arrived in Philadelphia from New York at 6:47 o'clock last night and then disappeared. Mr. Baer was also in Broad Street Station a half hour before the two Senators arrived. Mr. Baer did not go straight to the Reading Terminal this morning, as usual, but instead he appeared in Broad Street Station and called on Mr. Cassatt.

**MICHELL IN WILKES-BARRE.**

Says the Mine Workers Are Not an Illegal Body—Silent About Conference.

WILKES-BARRE, Pa., Oct. 11.—President Mitchell, upon his return here to-day, made a brief stop. He said:

"The best interests of the operators, the miners and the public will be conserved by saying nothing at this time about the conference in New York which would give any inference as to the present situation."

As to the request of Vice-President Daniel Willcox of the Delaware and Hudson company to the President to have him begin his tour against the "Miners' union as an illegal organization," Mr. Mitchell said:

"The mine workers are organized on the same lines as all other labor organizations in this country. If the 'Miners' union is illegal, so also are all other labor unions. I hold that the miners' organization is perfectly legal."

President Nichols was more emphatic. He said:

"The conferences were barren of results so far as the settlement of the strike was concerned. The operators are refusing to agree to arbitrate the questions at issue or grant concessions. They must do either one of these things before the struggle is terminated."

**SOLICITS AID FOR THE MINERS.**

Address by the Executive Committee of the American Federation of Labor.

WASHINGTON, Oct. 11.—The following "Address" to the Public and Organized Labor" was issued to-day by the Executive Council of the American Federation of Labor:

The strike of the miners is now in its twenty-third week. The strike occurred was entirely the fault of the presidents of the coal companies, that the strike has continued to this day is entirely due to the conduct which the presidents of the coal companies have for the people of our country and the untold sufferings which all may endure.

No effort to settle the strike could be fairer than that made by the miners' representatives at the conference with President Roosevelt. The operators' haughty arrogance, brutal dominating spirit, blasphemous assumption of divine wealth proprietorship, and when the miners refused to be shocked the civilized world, and aroused the honest indignation of all lovers of justice and fair dealing.

What more could the miners do and maintain the self-respect and not forfeit the respect of their fellow men, than their willingness to submit all matters in dispute to a commission appointed by President Roosevelt, and when the operators refused to have the questions involved in the miners' claims investigated and adjusted by any disinterested persons.

These circumstances in connection with the strike are recalled, not for the sake of our country